

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 99-cr-30244-DRH

JUAN M. RIOS,

Defendant.


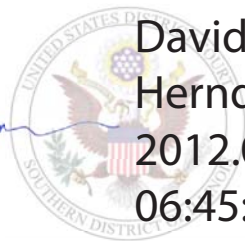
ORDER ON SCOPE OF MANDATORY RESTITUTION

The Court finds pursuant to Title 18, U.S.C. § 3663A (c)(3)(B), in this case at this time, for private insurance companies and other private third party payers of medical claims that may have been victims of the conduct charged in Count 1 of the Superseding Indictment, that “determining complex issues of fact related to the cause or amount of the victim’s losses would complicate or prolong the sentencing process to a degree that the need to provide restitution to any victim is outweighed by the burden on the sentencing process.”

The Court is satisfied that in a thirteen year old health care fraud investigation attempting to calculate each potential third party payer restitution would be complicated so as to unduly burden and prolong the sentencing process. This is not a bar on restitution, *see United States v. Grimes*, 173 F.3d 634, 639 (7th Cir. 1999), but an acknowledgment that the Government has expended its best efforts and is not required to over extend its resources in order to make individual calculations for each potential victim of the fraud scheme charged in Count 1 of the Superseding

Indictment. The facts on the record satisfy the Court that mandatory restitution is not applicable here, pursuant to 18 U.S.C. Section 3663A(c)(3).

SO ORDERED.

  David R.
Herndon
2012.09.13
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Chief Judge
United States District Court

Dated: September 13, 2012